

HOUSE BILL 2935

By Curtiss

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 6, Part 1, relative to residential and light commercial plumbers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-6-102, is amended in subdivision (2) by deleting the language "subdivision (3)(A) or (6)" and by substituting instead the language "subdivisions (3)(A), (6) or (7)".

SECTION 2. Tennessee Code Annotated, Section 62-6-102, is further amended by inserting a new subdivision (7) to read as follows:

(7) "Limited licensed plumber" means any person or entity who performs any plumbing work that has a total cost of less than twenty-five thousand dollars (\$25,000).

SECTION 3. Tennessee Code Annotated, Title 62, Chapter 6, Part 1, is amended by adding a new section thereto, as follows:

Section _____. Nothing in this chapter shall be construed to provide that a limited licensed plumber is a contractor. It is the intent of this chapter to provide that a limited licensed plumber is subject to the jurisdiction of the board solely for the purposes of licensure and disciplinary proceedings. No limited licensed plumber shall be authorized

to use the appellation “contractor” or any other designation that gives or is designed to give the impression that a limited licensed plumber is a contractor.

SECTION 4. Tennessee Code Annotated, Section 62-6-111(a)(1), is amended by deleting the language “limited licensed electrician” and by substituting instead the language “limited licensed electrician or a limited licensed plumber”.

SECTION 5. Tennessee Code Annotated, Section 62-6-111(d), is amended by deleting the language “limited licensed electrician” and by substituting instead the language “limited licensed electrician or a limited licensed plumber”.

SECTION 6. Tennessee Code Annotated, Section 62-6-120(b), is amended by deleting the language “limited licensed electrician” and by substituting instead the language “limited licensed electrician or a limited licensed plumber”.

SECTION 7. Tennessee Code Annotated, Section 62-6-111, is amended by adding the following new subsections thereto:

(k)(1) Notwithstanding any provision of the law to the contrary, the board may issue a license as a limited licensed plumber to any individual without an examination as required by this chapter, except as provided in subdivision (k)(3), if such individual makes an application to the board in which the following information is provided:

A current license or certificate issued by any county or municipality of this state prior to the effective date of this act, that is evidence that such applicant had by examination by an official of such county or municipality demonstrated the qualifications required to perform such plumbing contract work within its jurisdiction and was actively engaged in such business on the effective date of this act.

(2) Applications for a license pursuant to (k)(1) shall be filed with the board by the effective date of this act. If a license issued to a limited licensed plumber pursuant to the provisions of this subsection is not periodically renewed as provided by this chapter,

then such limited licensed plumber shall be eligible for a license only after the satisfactory completion of the examination required by the board.

(3) Any person who performs plumbing work and who is subject to licensure as a limited licensed plumber shall apply to the board for a license. To receive a license, the applicant shall pay a fee as set by the board for such license and shall pass an examination prescribed by the board. The board may administer such examination or may contract for the administration of such examination.

(4) Notwithstanding any provision of this part to the contrary, a license as a limited licensed plumber shall not be required in any municipality or county that issues licenses to persons who perform plumbing work in such municipality or county.

(5) Any person with knowledge of faulty plumbing work performed by a limited licensed plumber must report such plumber to the state board for licensing contractors, who may initiate proceedings against the plumber for such faulty work.

(6) The provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, govern all matters and procedures respecting the hearing and judicial review of any contested case, as defined therein, arising under this section.

(7) The board for licensing contractors shall formulate a system for inspectors to report any problems they may encounter with the workmanship of a limited licensed plumber.

SECTION 8. The exemption provisions of Tennessee Code Annotated, Section 62-6-103(a)(2) and (a)(3), on licensure shall apply to limited licensed plumbers.

SECTION 9. Tennessee Code Annotated, Title 62, Chapter 6, Part 1, is amended by adding a new section thereto, as follows:

Section _____. (a) No person shall be required to post a bond, provide a financial statement or a letter of reference in order to obtain a license as a limited licensed plumber.

(b) All limited licensed plumber licenses shall expire biennially on the month of their issuance.

(c) The board shall prescribe fees for the issuance and renewal of licenses of limited licensed plumbers. Such fees shall be in an amount that provides for the cost of administering the licensing and regulation of limited licensed plumbers. Fees shall be adjusted as necessary to provide that the licensing of limited licensed plumbers is fiscally self-sufficient and that revenues from fees do not exceed necessary and required expenditures.

SECTION 10. This act shall take effect January 1, 2001, the public welfare requiring it.